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Letter dated 23 May 2007 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you the joint African Union-United Nations report on the hybrid operation in Darfur, as coordinated by the two organizations on the basis of the 16 November 2006 high-level meeting on the situation in Darfur, held in Addis Ababa, whose conclusions were endorsed by the 30 November 2006 summit-level meeting of the African Union Peace and Security Council as well as in the statement by the President of the United Nations Security Council on 19 December 2006 (S/PRST/2006/55).

I should be grateful if you would be the report to the attention of the members of the Security Council.

Alpha Oumar Konaré, Chairperson of the African Union Commission, is taking appropriate steps to bring the report to the attention of the members of the African Union Peace and Security Council.

(*Signed*) **Ban** Ki-moon

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Report of the Secretary-General and the Chairperson of the African Union Commission on the hybrid operation in Darfur

I. Introduction

1. The present report is submitted pursuant to the statement by the President of the Security Council issued on 19 December 2006 (S/PRST/2006/55), in which the Council endorsed the conclusions of the 16 November 2006 high-level consultation on Darfur, held in Addis Ababa. The Addis Ababa conclusions called for a comprehensive approach to the peace process in Darfur, including re-energizing the political process, strengthening the ceasefire and a three-phased approach to peacekeeping, culminating in an African Union-United Nations hybrid operation. The conclusions of the high-level consultation were also endorsed at the 66th meeting of the African Union Peace and Security Council, held on 30 November 2006 in Abuja. The Council of Ministers of the Government of the Sudan subsequently endorsed the Addis Ababa and Abuja decisions on 3 December 2006.

2. The present report proposes a mandate and a structure for the hybrid operation in Darfur and provides details on the various components of the proposed operation and their specific tasks. Additionally, the report describes the ongoing efforts of the international community to support the peace process in Darfur and to strengthen the African Union Mission in the Sudan (AMIS).

II. Background

3. After the signing of the N'Djamena Humanitarian Ceasefire Agreement between the Government of the Sudan, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) in April 2004 and the follow-up agreement of 28 May 2004, the African Union deployed AMIS and gradually expanded it to its current strength of over 7,000 personnel, including 5,197 protection-forces personnel, 946 military observers and 1,360 civilian police.

4. As the observer mission evolved into a complex peacekeeping operation, and owing to uncertainty regarding its financial sustainability, the African Union Peace and Security Council, in its 12 January 2006 communiqué, expressed its support, in principle, for a transition from AMIS to a United Nations operation. That decision was subsequently reiterated in the Peace and Security Council communiqué of 10 March 2006, which called for the transition of AMIS to a United Nations operation. Such a transition was also endorsed by the United Nations Security Council in its presidential statement of 3 February 2006 (S/PRST/2006/5) and its resolutions 1663 (2006) and 1679 (2006). In its resolution 1679 (2006), the Council called for a joint African Union-United Nations technical assessment mission to the Sudan/Darfur to assess the requirements for strengthening AMIS and the possible transition of AMIS to a United Nations peace operation.

5. On the basis of the recommendations of the joint African Union-United Nations technical assessment mission conducted in June 2006 and the report of the Secretary-General of 28 July 2006 (S/2006/591), on 31 August 2006 the Security Council adopted resolution 1706 (2006), in which it authorized the expansion of the

United Nations Mission in the Sudan (UNMIS) into Darfur and invited "the consent of the Government" for the deployment of a multidimensional United Nations peace operation in Darfur. However, the Government of the Sudan did not give its consent.

6. At its 63rd meeting, held at the level of Heads of State and Government in New York on 20 September 2006, the Peace and Security Council took note of Security Council resolution 1706 (2006), as well as the Government of the Sudan's decision not to consent to the deployment of the United Nations peacekeeping operation in Darfur. It requested the African Union Commission, with the support of African Union member States, the United Nations and other partners, to take all necessary measures to enhance AMIS on the basis of the concept of operation approved by the Military Staff Committee of the African Union at its meeting of 23 June 2006.

7. Out of deep concern for the difficulties that AMIS and its mandate have been faced with, as well as continued insecurity in Darfur, on 16 November 2006 the Secretary-General and the Chairperson of the African Union Commission co-chaired in Addis Ababa a high-level consultation of the five permanent members of the Security Council, the Government of the Sudan, the European Union, the League of Arab States and a number of African countries. The objective of that high-level consultation was to identify concrete steps to be taken to improve the situation in Darfur. The meeting reached a number of conclusions based on three requirements: re-energizing the political process, establishing a strengthened ceasefire and defining the way forward for peacekeeping in Darfur.

8. The Addis Ababa conclusions proposed a number of principles to guide efforts to re-energize the political process and establish a strengthened ceasefire under the joint leadership of the African Union and the United Nations. The Addis Ababa conclusions also outlined the way forward with regard to peacekeeping, focusing on a three-phase approach of United Nations support for AMIS, consisting of a light support package, a heavy support package and an African Union-United Nations hybrid operation.

9. The high-level consultation underlined that the hybrid operation should be capable of contributing to the restoration of security and the protection of civilians in Darfur and should be logistically and financially sustainable, and further noted the need to take into account security along the borders between the Sudan and Chad and the Central African Republic.

10. On 30 November 2006 in Abuja, the African Union Peace and Security Council held its 66th meeting, at which it endorsed the Addis Ababa conclusions in its communiqué and decided with regard to the hybrid operation that:

(a) The Special Representative shall be jointly appointed by the Chairperson of the African Union Commission and the Secretary-General of the United Nations, after appropriate consultations, as per the practice;

(b) The Force Commander, who should be an African, shall be appointed by the Chairperson of the African Union Commission in consultation with the Secretary-General of the United Nations;

(c) The Mission shall benefit from United Nations backstopping and command and control structures;

(d) The size of the force shall be determined by the African Union and the United Nations, taking into account all relevant factors and the situation on the ground, as well as the requirements for it to effectively discharge its mandate.

11. On 19 December 2006, the Security Council issued a presidential statement (S/PRST/2006/55) in which it endorsed the Addis Ababa conclusions and the Abuja communiqué of the Peace and Security Council and called for their implementation without delay, also calling on all parties to facilitate the immediate deployment of the United Nations light and heavy support packages for AMIS and a hybrid operation in Darfur, for which backstopping and command and control structures and systems would be provided by the United Nations. On 23 December 2006, in a letter addressed to the Secretary-General, President Omer Al-Bashir confirmed that the Addis Ababa conclusions and the Abuja communiqué "constitute a viable framework for peaceful settlement of the conflict in Darfur" and reaffirmed the readiness of the Government of the Sudan to implement the Addis Ababa conclusions and the Abuja communiqué. The Government of the Sudan also informed the African Union of its acceptance of the decision of the Peace and Security Council.

III. Status of implementation of the Darfur Peace Agreement

12. Since its signing on 5 May 2006 in Abuja, the Darfur Peace Agreement has run into considerable difficulties. Only two of the four parties that negotiated the Agreement signed it in the end. Those that refused to sign objected to certain provisions of the power-sharing, wealth-sharing and final security arrangements protocols of the Agreement, including the provisions on senior Darfurian representation in the national Government, the creation of a Darfur region, the amount allocated for compensation of victims of the conflict and the disarmament of the Janjaweed. More than one year after its signing, the Agreement has failed to achieve its objectives of bringing peace and security to the people of Darfur and paving the way for a just, peaceful and lasting political solution to the conflict in Darfur.

13. Nevertheless, significant efforts are being made by the African Union, the Darfur Peace Agreement partners, including the United Nations and signatories of the Agreement in establishing implementation structures, such as the Darfur Assessment and Evaluation Commission, and operationalizing some provisions of the Agreement.

14. With regard to the power-sharing protocol, for instance, even though SLA-Minawi leader Minni Arko Minawi was appointed Senior Assistant to the President and Chairman of the Transitional Darfur Regional Authority in October 2006, the Regional Authority itself, which is a critical aspect of the Darfur Peace Agreement, since it represents the Darfur regional administration, was inaugurated only on 23 April 2007. This has significantly affected all other aspects of implementation of the Agreement since its signing. At the same time, the relationship between Minawi as Chairperson of the Regional Authority and existing Government structures in the three Darfur states has not been fully clarified, and concrete plans for the consolidation and functioning of the Regional Authority have yet to be developed.

15. Meanwhile, a number of ministerial, gubernatorial and legislative posts have been filled by representatives of SLA-Minawi and those movements that have

signed the Declaration of Commitment to the Darfur Peace Agreement. The Government of the Sudan claims to have implemented up to 85 per cent of the power-sharing component of the Agreement. There will therefore be a critical need to revisit the matter in the framework of re-energizing the political process and broadening the support base of the Agreement in order to provide fresh and concrete incentives for the non-signatory groups to join the peace process.

16. No significant progress has been made in the implementation of the wealth-sharing provisions of the Darfur Peace Agreement either. Compensation provisions remain outstanding. The Darfur Joint Assessment Mission, which was required to assess development and reconstruction needs in Darfur, has had to suspend its work because of security concerns. Consequently, the donors' pledging conference that was to be held in 2006 was postponed on account of the fact that the Joint Assessment Mission process was not concluded.

17. Various constraints related largely to logistics and funding, as well as the lack of an all-inclusive political process, have hindered meaningful progress in the implementation of the Darfur Peace Agreement provisions relating to the comprehensive ceasefire and final security arrangements. Although steps by both the Government of the Sudan and the Ceasefire Commission have been taken towards finalizing the "Plan for the disarmament of the Janjaweed/armed militias", the actual neutralization and disarmament of the Janjaweed are yet to start, with all the attendant implications for security in Darfur. In addition, the verification of parties' locations has been completed in only two out of the eight sectors (sectors I and II).

18. The Darfur Peace Agreement provides for non-military logistic support to the movements, after they fulfil certain conditions, including redeployment. However, although those conditions have not been met, at its fifth session, held in El Fasher on 7 February 2007, the Joint Commission observed that the prevailing insecurity in Darfur is also linked to the absence of legal means of livelihood for elements belonging to both the signatory and non-signatory movements.

19. The Joint Working Commission on the Final Security Arrangements is currently drawing up an inventory of the movements' forces and their requirements. AMIS has meanwhile concluded arrangements for the establishment of the Logistics Coordination Committee, which would be responsible for supervising and coordinating logistic support for the movements' forces. The Logistics Coordination Committee will also determine their requirements in terms of rations, water, shelter, medical supplies and clothing. The Committee, whose membership includes the donors and the United Nations, will report to the Ceasefire Commission. Meanwhile, the Government of the Sudan continues to provide financial and other logistic assistance to the movements on a voluntary basis.

20. The effective launching of the Darfur-Darfur Dialogue and Consultation is also affected by the narrow political space in Darfur, owing generally to the difficulties facing the Darfur Peace Agreement. Nevertheless, the Preparatory Committee for the Darfur-Darfur Dialogue and Consultation, inaugurated in November 2006, has made significant progress in setting up the structure and preparatory work of the process. Consultations still continue regarding the nomination of the Chairperson of the Dialogue and Consultation.

IV. Security situation

21. Ceasefire violations continued even after the signing of the Darfur Peace Agreement. Those violations had a devastating impact on the civilian population, increased displacement and reduced humanitarian access. The 19 February 2007 report of the joint African Union-United Nations quick review of the situation on the ground in Darfur stated that the security situation in Darfur had remained unstable since the June 2006 joint African Union-United Nations technical assessment mission to the Sudan/Darfur and Chad. While the situation has improved slightly in some areas, it has deteriorated significantly in others. This deterioration is attributable largely to the delay in the implementation of the Darfur Peace Agreement, the fragmentation of the parties and the fight for control and supremacy in their respective areas of influence.

22. The period from July 2006 to January 2007 has witnessed increased insecurity and the militarization of some camps for internally displaced persons and a sharp reduction in humanitarian access. Targeted attacks on non-governmental organizations and AMIS personnel and property have continued on a larger scale, and cases of abduction of AMIS personnel, carjacking and banditry along major supply routes have also increased.

23. In Northern Darfur, major fighting between Darfur Peace Agreement signatories and non-signatories, including aerial bombardment of villages, have led to civilian casualties and overall insecurity. In December 2006 and January 2007 Government forces repeatedly bombarded the planned locations of the SLA reunification conference north of El Fasher, thwarting the efforts of SLA commanders to consolidate their groups. Furthermore, the use of the Janjaweed against areas under rebel control has continued, with severe consequences for the civilian population. From 11 January to early April 2007 there was a lull in the direct engagement of the Sudanese Armed Forces in Northern Darfur. However, the presence of proxy militias and the Government's inability to contain them continued to create insecurity.

24. The quick-review report also noted an increase in inter- and intra-tribal fighting in Southern Darfur, in the Kass region south of Jebel Marra. In February 2007 alone, violent clashes between the Rizeigat and Tarjem tribes led to 250 fatalities in Southern Darfur. The quick review also identified cross-border attacks and the presence of Chadian rebels in Western Darfur and that of Sudanese rebels in eastern Chad as the main reasons for the acute deterioration of the security situation in the border area and the deterioration of bilateral relations between the two countries. Although various initiatives continue to seek a solution to the Chad-Sudan situation, insecurity continues to endanger the lives of civilians on both sides of the common border.

25. Attacks on AMIS and insecurity continued in March and April. Three AMIS soldiers were killed in an attack on 5 March 2007 at an SLA-Minawi checkpoint in Gereida. On 31 March 2007 in Northern Darfur, a helicopter transporting a senior AMIS delegation, including the AMIS Deputy Force Commander, received fire in the general area of Kurni, which is an SLM/Wahid-controlled area. Five AMIS peacekeepers were killed in an attack by SLM-Minawi forces on 1 April 2007 while guarding the water point in Umm Barru, Northern Darfur. Three of the assailants were killed in the attack and their weapons were recovered. On 10 April another

member of AMIS died of injuries sustained in an attack in Sartony, and on 14 April 2007, near AMIS headquarters, another AMIS officer, on his way home after work, was killed by unknown armed elements. Meanwhile, an AMIS officer who was abducted on 10 December 2006 is still missing.

26. The lull observed between January and early April was broken by resumed Sudanese Armed Forces bombing raids in Northern Darfur. On 19, 21 and 23 April, the Sudanese Armed Forces conducted aerial bombings in Jira, Umm Rai, Anka and Hashasba. On 19 and 21 April, according to the Chairman of the Ceasefire Commission, the Sudanese Armed Forces aerial bombings in Jira and Umm Rai villages prevented another SLA reunification conference from taking place, despite the consent given by the Government of the Sudan and the arrangements made by international partners to attend.

27. In Southern Darfur, intense inter-Arab tribal clashes between the Tarjem (Aballa) and the Rizeigat (Baggara) took place on 31 March and 1 April in the Bulbul Abu Zazur area, killing some 60 persons and injuring 21 others, mostly Tarjem. In Western Darfur, similar clashes on 13 and 14 April between Gimir militias and Dorok communities led to 56 casualties, the burning of 17 villages and the displacement of 500 to 700 families. Following the attack, Gimir militias took control of the land of the burned villages. On 26 April some 300 armed men attacked internally displaced persons in Argo and Dabanera camps near Tawilla, Northern Darfur, committing acts of looting, physical assault and kidnapping.

28. So far in 2007, nearly 130,000 people have been displaced because of insecurity in Darfur. At the same time, numerous humanitarian organizations reported unusual access constraints due to insecurity. Moreover, hostilities on both sides of the Chad border caused the temporary influx of 12,000 Chadian refugees into Western Darfur in February 2007.

V. Implementation of the Addis Ababa conclusions and Abuja decisions

29. In the light of the difficulties in the implementation of the Darfur Peace Agreement and in view of the continuing insecurity in Darfur, a number of steps have been taken to carry out the November 2006 Addis Ababa and Abuja decisions.

1. Re-energizing the political process

30. The Addis Ababa conclusions identified a number of general principles to guide the re-energizing of the Darfur political process, including the need to resolve the Darfur conflict through an all-inclusive political solution and to uphold the Darfur Peace Agreement as the basis for that process, and that the mediation should be under African Union and United Nations leadership. They also underlined that the African Union remains the lead actor in the process of implementing the Agreement.

31. The Addis Ababa conclusions further expressed a number of concerns regarding the implementation of the Darfur Peace Agreement. Firstly, the conclusions noted that the Agreement is not sufficiently inclusive and that this has led to insecurity, a deterioration of the humanitarian situation and limited humanitarian access. Secondly, the Agreement has not been sufficiently

disseminated in Darfur and is thus opposed by many Darfurians. In addition, the high-level consultation identified other concerns, including the proliferation of peace initiatives, the fragmentation of the non-signatories, the regional dimension of the conflict, which has complicated the search for a solution, and the slow pace of implementation of the Agreement.

32. The Addis Ababa conclusions therefore recommended that the various peace initiatives be brought under a unified umbrella, jointly led by the African Union and the United Nations. To that end, the Chairperson of the African Union Commission and the Secretary-General appointed Salim Ahmed Salim and Jan Eliasson, respectively, as their Special Envoys for Darfur, to focus on re-energizing the political process, to make the Darfur Peace Agreement more inclusive and to broaden support for the Agreement.

33. The Special Envoys have conducted three joint missions to the Sudan/Darfur, during which they consulted with high-level Government officials, including President Al-Bashir, First Vice-President Salva Kiir, Vice-President Ali Osman Taha and Senior Assistant to the President Minni Minawi, as well as other stakeholders, representatives of the rebel groups, civil society, opposition political parties, tribal leaders and internally displaced persons. A preliminary outcome of those initial consultations was that all the parties consulted, including the Government of the Sudan, agreed that there could not be a military solution to the crisis in Darfur and that a political solution was the only way forward to a lasting peace. In this regard, both the Government of the Sudan and the other parties broadly accepted the fact that the Darfur Peace Agreement could not be considered a "take it or leave it" document. At the same time it was also understood that the Agreement would not be renegotiated in its entirety. All parties therefore welcomed initiative led by the African Union and the United Nations to broaden the support base of the Agreement and to ensure that it is owned by all the people of Darfur. Within that framework, those consulted agreed to cooperate with the efforts of the Special Envoys. There are, however, areas of divergence, as some leaders of the non-signatory movements refuse to accept the Agreement as a basis for renewed negotiations.

34. The Special Envoys have also started consultations with regional actors, including Eritrea, Chad, the Libyan Arab Jamahiriya and Egypt, to ensure that the broader regional dimensions are fully reflected in their efforts and to harmonize the various peace initiatives currently under way. Meanwhile, AMIS and UNMIS have established a Joint Mediation Support Team based in Khartoum and El Fasher in order to assist the two Envoys in their efforts. As agreed during the high-level meeting convened by the Libyan Arab Jamahiriya on 28 April 2007 in Tripoli on the political process in Darfur, the Special Envoys are developing a road map for the peace process meant to address the outstanding concerns of the people of Darfur.

2. Establishing a strengthened ceasefire

35. Ceasefire violations continued after the signing of the Darfur Peace Agreement, and signatories and non-signatories alike have acted with impunity. The gravity of this situation for the civilian population underscores the urgent need for a strengthened ceasefire in Darfur. The Addis Ababa conclusions stated that there can be no effective ceasefire mechanism or peacekeeping operation without a peace firmly grounded on an all-inclusive political process. Indeed, mainly because the

Agreement was not signed by all parties, its ceasefire mechanisms failed to function effectively.

36. The Darfur Peace Agreement signatories, particularly the Government of the Sudan, did not agree to the participation of the non-signatories in the work of the Joint Commission and the Ceasefire Commission established by the Agreement. The Government of the Sudan also evoked security reasons for not allowing the non-signatories to be part of the mechanisms, as it believed they would be collecting information to be used against Government military positions. The Government also contends that the N'Djamena Agreement never provided for such representation. For their part, the non-signatories objected to being part of the mechanisms of an Agreement they are not party to, insisting that the proceedings of the Ceasefire and Joint Commissions must be based on the N'Djamena Humanitarian Ceasefire Agreement in order for them to participate.

37. In the light of these challenges, at its third session, held on 12 November 2006 in Addis Ababa, the Joint Commission approved the establishment of a dual-chamber Ceasefire Commission. The first chamber is for the signatories of the Darfur Peace Agreement and the Declaration of Commitment, and the second chamber is for the non-signatories. Although the second chamber was established at the El Fasher level, it failed to function effectively due to procedural issues raised by the non-signatories, particularly the Justice and Equality Movement, which continue to insist that proceedings of the chamber be based on the N'Djamena Humanitarian Ceasefire Agreement. They also stated that, unless their representatives are deployed throughout the sectors and are represented in the Joint Commission, they will continue to boycott the second chamber. Meanwhile, the Government of the Sudan continues to oppose the deployment of non-signatory party representatives to all the sectors, citing security concerns. To date, no consensus has been reached on this matter. It is likely that the Ceasefire Commission will continue to be largely ineffective until all the stakeholders, especially those that are violating the ceasefire in Darfur, agree to sit and work together in a one-chamber Ceasefire Commission to facilitate credible investigations and appropriate sanctions against those who are found guilty of violations.

38. Other problems plaguing the effective functioning of Darfur Peace Agreement ceasefire mechanisms include the increasing fragmentation of the parties and the high cost of providing a large number of representatives with allowances. The unpredictable funding of AMIS, which has resulted in backlogs of unpaid mission subsistence allowance, not only to military observers and the protection force, but also to the party representatives on the Ceasefire Commission, has further compounded the problem.

39. At its fifth session, held on 7 February 2007 in El Fasher, the Joint Commission advised the African Union to take appropriate steps to address these challenges. The Joint Commission also called on the parties, particularly the Government of the Sudan, to address their differences and allow the full functioning of the second chamber. In order to address these problems, AMIS considered a number of options in consultation with the international partners, including the United Nations, and decided to reduce the scale of party representation and amount of mission subsistence allowance paid to party representatives at the Ceasefire Commission level, and review the status and privileges of party representatives to the Ceasefire Commission. As the present report was being finalized, efforts were

under way in Khartoum, involving the African Union, the United Nations and representatives of international partners, with the objective of regularizing the situation in a manner that would be acceptable to the affected parties, the African Union, the United Nations and the partners.

3. The way forward for peacekeeping

40. The Addis Ababa conclusions also emphasized the need for an effective peacekeeping operation, which will contribute to the restoration of security and protection of civilians in Darfur and also ensure full humanitarian access. This would contribute to creating the confidence and environment that are required for the effective conduct of the peace process. The high-level consultation decided that peacekeeping in Darfur needs to be enhanced and made effective. To achieve this requirement, a three-phased approach was adopted and agreed upon by the African Union, the United Nations, and the Government of the Sudan. The approach consists of a United Nations light support package to AMIS, a United Nations heavy support package to AMIS and the establishment of a hybrid operation in Darfur. In order to ensure transparency and facilitate the implementation of these plans, a tripartite mechanism involving the United Nations, the African Union and the Government of the Sudan was established in November 2006 in Khartoum and El Fasher.

(a) Status of the light support package

41. As a first step towards the three-phased approach to peacekeeping in Darfur, elements of the light support package for AMIS were jointly agreed upon by the two organizations and subsequently endorsed by the Government of the Sudan through President Al-Bashir's letter of 23 December 2006 to the Secretary-General. The package is designed to assist AMIS in the establishment of an integrated command and control structure and to increase the effectiveness and coordination of its operations. The light support package comprises equipment and personnel fully dedicated to supporting AMIS in the following four areas: logistical and material support, military staff support, advisory support for civilian police and civilian support in the areas of mine action, humanitarian liaison, public information, mission support and support for the implementation of the Darfur Peace Agreement.

42. In order to ensure accountability for the United Nations equipment and personnel deployed in support of AMIS, the African Union and the United Nations signed a memorandum of understanding; as at 8 May 2007, the tripartite mechanism has facilitated the United Nations deployment of 42 military, 32 police and 25 civilian personnel to support AMIS in the Sudan/Darfur. With the exception of medical and public-information equipment and 36 armoured personnel carriers, other logistical and material support contained in the package was handed over on 11 January 2007.

43. The deployment of an additional 36 military, 1 police and 9 civilian personnel who have been identified and recruited is on hold, pending progress in the construction of office facilities and living accommodations that are compliant with United Nations safety and security standards in Darfur. There is also an outstanding requirement for contributions of 27 staff officers and 36 armoured personnel carriers from United Nations Member States. The major challenge to the full implementation of the light support package, however, remains the lack of security in the face of inadequate infrastructure in Darfur and AMIS camps.

(b) Status of the heavy support package

44. The heavy support package, as agreed upon by the African Union and the United Nations, is composed of military, police and mission support personnel and equipment, as well as civilian staff to provide support in a range of areas, including civil affairs, humanitarian liaison, public information, mine action and support for the Darfur political process. The package includes 2,250 military personnel to be deployed in the areas of transport, engineering, signals and logistics, surveillance, aviation and medical services; 301 police personnel and three formed police units; and 1,136 civilian personnel, including 74 substantive and 78 support staff dedicated to supporting AMIS, as well as 984 mission support staff to support the military and police deployment. On 24 April 2007 the United Nations Controller notified the appropriate body of the General Assembly that $68 million in current UNMIS resources would be used to meet the immediate requirements for the implementation of the heavy support package.

45. Details of this package were communicated to the Government of the Sudan by the Secretary-General and the Chairperson of the African Union Commission in identical letters addressed to President Al-Bashir on 24 January 2007. In his response, dated 6 March 2007, President Al-Bashir accepted some aspects of the package and expressed reservations with regard to others, in particular as they relate to the Darfur Peace Agreement, and proposed that further discussions take place to address them. As agreed at the summit meeting on Darfur on 28 March 2007 in Riyadh, a meeting of experts from the African Union, the United Nations and the Government of the Sudan took place on 9 April in Addis Ababa to discuss the Sudan's reservations about the African Union-United Nations heavy support package for AMIS. Following those consultations, the Sudanese Government formally confirmed its agreement with the jointly developed African Union-United Nations proposal for the heavy support package on 16 April 2007, through a letter addressed to the Secretary-General by the Permanent Representative of the Sudan to the United Nations.

46. In order to ensure the effective implementation of the heavy support package and in the light of the envisaged deployment of the hybrid operation, a reconfiguration of certain substantive capacities of the heavy support package as presented in the Secretary-General's report on Darfur of 23 February 2007 (S/2007/104) will be undertaken. The Security Council will be kept informed of those actions.

47. The expeditious implementation of the heavy support package, in close cooperation with the African Union, requires urgent contributions of capable troops and police by Member States, the agreement of the Government of the Sudan on land and water drilling in Darfur, the deployment of two additional AMIS battalions with requisite equipment and the restructuring of AMIS, which now has eight sectors, into three sectors. It also requires the immediate support of international partners for the expansion of seven AMIS camps to accommodate the deployment of the two additional AMIS battalions, the three sector headquarters and, temporarily, heavy support package engineering elements.

(c) Status of planning for the hybrid operation

48. While the light and heavy support packages are designed to deliver critical capabilities that will enhance the mobility and effectiveness of AMIS, the issues of

adequate and predictable funding, as well as the long-term logistical sustainability of the African Union Mission, remain unaddressed. Based in part on these concerns, the Addis Ababa conclusions recommended that an African Union-United Nations hybrid operation be deployed in Darfur and that the United Nations provide funding for it.

49. A number of basic principles regarding the hybrid operation were agreed upon between the United Nations and the African Union during consultations on the margins of the African Union summit in January 2007 on the basis of the Addis Ababa and Abuja agreements of November 2006. The African Union and the United Nations subsequently agreed upon the terms of reference for the Joint Special Representative, as well as a framework containing the African Union-United Nations agreed principles for taking forward the preparations for the hybrid operation, which were communicated to President Al-Bashir in identical letters sent by the Secretary-General and Chairperson Konaré on 6 March 2007.

50. At the meeting of the African Union Peace and Security Council on 30 November 2006, it was also decided that "the size of the [hybrid] force shall be determined by the African Union and the United Nations, taking into account all relevant factors and the situation on the ground, as well as the requirements for it to effectively discharge its mandate". Accordingly, the African Union and the United Nations conducted a joint quick-review mission in Darfur from 8 to 19 February 2007. In view of the emerging security trends described above, the quick-review mission assessed that the force requirement for the hybrid operation would be 19,000 to 20,000 troops, as well as 3,772 police officers and 19 formed police units.

51. Subsequently, from 19 to 26 March 2007 in Addis Ababa, African Union and United Nations multidisciplinary teams conducted joint planning for the African Union-United Nations hybrid operation in Darfur. The teams included experts in the areas of political affairs, civil affairs, humanitarian affairs, human rights, refugee returns and reintegration, military and police planning, security, disarmament, demobilization and reintegration and mission support. Section VI below reflects the outcome of that planning exercise.

VI. African Union-United Nations hybrid operation

52. Taking forward the decisions included in the Addis Ababa and Abuja agreements requires that the hybrid operation implement all aspects of the Darfur Peace Agreement and all subsequent supplementary agreements that assign tasks to the African Union and the United Nations.

A. Mandate

53. The hybrid operation will require a mandate approved by the African Union Peace and Security Council and the United Nations Security Council. As concluded at the 16 November 2006 high-level consultation in Addis Ababa, and decided by the Peace and Security Council communiqué of 30 November 2006 and the statement by the President of the Security Council of 19 December 2006 (S/PRST/2006/55), the hybrid operation should focus on the protection of civilians, the facilitation of full humanitarian access and the return of refugees and internally

displaced persons to their homes. It should also contribute to the restoration of security in Darfur, inter alia, through the implementation of the Darfur Peace Agreement.

54. The African Union-United Nations agreed framework on the hybrid operation envisaged that elements of its mandate would be drawn from the Darfur Peace Agreement, the current AMIS mandate, the Secretary-General's report of 28 July 2006 on Darfur (S/2006/591) and relevant communiqués of the African Union Peace and Security Council and resolutions of the United Nations Security Council. It will also be informed by the security situation in Darfur. On the basis of these considerations, the proposed mandate of the hybrid operation in Darfur should be as follows:

(a) To contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur;

(b) To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan;

(c) To monitor, observe compliance with and verify the implementation of various ceasefire agreements signed since 2004, as well as assist with the implementation of the Darfur Peace Agreement and any subsequent agreements;

(d) To assist the political process in order to ensure that it is inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process;

(e) To contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes;

(f) To contribute to the promotion of respect for and protection of human rights and fundamental freedoms in Darfur;

(g) To assist in the promotion of the rule of law in Darfur, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the national legal framework;

(h) To monitor and report on the security situation at the Sudan's borders with Chad and the Central African Republic.

55. In order to achieve these broad goals, the operation's tasks would include the following:

(a) Support for the peace process and good offices:

(i) To support the good offices of the African Union-United Nations Joint Special Representative for Darfur and the mediation efforts of the Special Envoys of the African Union and the United Nations;

(ii) To support and monitor the implementation of the Darfur Peace Agreement and subsequent agreements;

(iii) To participate in and support the major bodies established by the Darfur Peace Agreement and any subsequent agreements in the implementation of their mandate, including through the provision of technical assistance and logistical support to those bodies;

(iv) To facilitate the preparation and conduct of the Darfur-Darfur Dialogue and Consultation;

(v) To assist in the preparations for the conduct of the referendums provided for in the Darfur Peace Agreement;

(vi) To ensure the complementary implementation of all peace agreements in the Sudan, particularly with regard to the national provisions of those agreements, and compliance with the Interim National Constitution;

(vii) To liaise with UNMIS and other international actors to ensure complementary implementation of the mandates of UNMIS and the African Union-United Nations hybrid operation in Darfur;

(b) Security

(i) To promote the re-establishment of confidence, deter violence and assist in monitoring and verifying the implementation of the redeployment and disengagement provisions of the Darfur Peace Agreement, including by actively providing security and robust patrolling of redeployment and buffer zones, by monitoring the withdrawal of long-range weapons, and by deploying hybrid police, including formed police units, in areas where internally displaced persons are concentrated, in the demilitarized and buffer zones, along key routes of migration and in other vital areas;

(ii) To monitor, investigate, report and assist the parties in resolving violations of the Darfur Peace Agreement and subsequent complementary agreements through the Ceasefire Commission and the Joint Commission;

(iii) To monitor, verify and promote efforts to disarm the Janjaweed and other militias;

(iv) To coordinate non-combat logistical support for the movements;

(v) To assist in the establishment of the disarmament, demobilization and reintegration programme called for in the Darfur Peace Agreement;

(vi) To contribute to the creation of the necessary security conditions for the provision of humanitarian assistance and to facilitate the voluntary and sustainable return of refugees and internally displaced persons to their homes;

(vii) In the areas of deployment of its forces and within its capabilities, to protect the hybrid operation's personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations-African Union personnel, humanitarian workers and Assessment and Evaluation Commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups and, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under imminent threat of physical violence and prevent attacks and threats against civilians;

(viii) To monitor through proactive patrolling the parties' policing activities in camps for internally displaced persons, demilitarized and buffer zones and areas of control;

(ix) To support, in coordination with the parties, as outlined in the Darfur Peace Agreement, the establishment and training of community police in camps for internally displaced persons, to support capacity-building of the Government of the Sudan police in Darfur, in accordance with international standards of human rights and accountability, and to support the institutional development of the police of the movements;

(x) To support the efforts of the Government of the Sudan and of the police of the movements to maintain public order and build the capacity of Sudanese law enforcement in this regard through specialized training and joint operations;

(xi) To provide technical mine-action advice and coordination and demining capacity to support the Darfur Peace Agreement;

(c) Rule of law, governance, and human rights:

(i) To assist in the implementation of the provisions of the Darfur Peace Agreement and any subsequent agreements relating to human rights and the rule of law and to contribute to the creation of an environment conducive to respect for human rights and the rule of law, in which all are ensured effective protection;

(ii) To assist all stakeholders and local government authorities, in particular in their efforts to transfer resources in an equitable manner from the federal Government to the Darfur states, and to implement reconstruction plans and existing and subsequent agreements on land use and compensation issues;

(iii) To support the parties to the Darfur Peace Agreement in restructuring and building the capacity of the police service in Darfur, including through monitoring, training, mentoring, co-location and joint patrols;

(iv) To assist in promoting the rule of law, including through institution-building, and strengthening local capacities to combat impunity;

(v) To ensure an adequate human rights and gender presence capacity, and expertise in Darfur in order to contribute to efforts to protect and promote human rights in Darfur, with particular attention to vulnerable groups;

(vi) To assist in harnessing the capacity of women to participate in the peace process, including through political representation, economic empowerment and protection from gender-based violence;

(vii) To support the implementation of provisions included in the Darfur Peace Agreement and any subsequent agreements relating to upholding the rights of children;

(d) Humanitarian assistance: to facilitate the effective provision of humanitarian assistance and full access to people in need.

B. Structure

56. As stated in the communiqué of the African Union Peace and Security Council of 30 November, the hybrid operation will be headed by a Joint African Union-United Nations Special Representative for Darfur. On 8 May 2007, the Secretary-General and the Chairperson of the African Union Commission jointly appointed Rodolphe Adada as Joint Special Representative of the African Union and the United Nations for Darfur. In that capacity, he will have overall authority over the peacekeeping mission in Darfur, oversee the implementation of its mandate and be responsible for the mission's management and functioning. As subsequently agreed between the African Union and the United Nations, the Deputy Joint Special Representative will also be appointed by both organizations. Based in El Fasher, Darfur, they will report to the Chairperson of the African Union Commission and the Secretary-General through the African Union Commissioner for Peace and Security and the United Nations Under Secretary-General for Peacekeeping Operations, respectively.

57. The Force Commander, who, in accordance with the Abuja communiqué, will be African, and the Police Commissioner of the operation will be appointed by the African Union in consultation with the United Nations, and will both report to the Joint Special Representative. The Force Commander and Police Commissioner will be assisted, respectively, by a Deputy Force Commander and a Deputy Police Commissioner, who will also be jointly appointed. Operational directives will be implemented through an integrated headquarters structure, including a mission support division led by a United Nations director of administration. The Force Commander will exercise command and control over air support assets through the Joint Operations Centre and over mission enablers through the Joint Logistics Operations Centre and the chief, integrated support services. The overall management of the operation will be based on United Nations standards, principles and established practices.

58. All command and control structures and main offices of the operation will be located in Darfur. In order to ensure that it operates effectively, a joint support and coordination mechanism, with dedicated staff capacity, will be established in Addis Ababa.

59. While the hybrid operation will function separately from UNMIS, there will be a strong liaison component between UNMIS and the operation. This will ensure complementarity of efforts between the African Union and the United Nations with respect to the implementation of the Darfur Peace Agreement and the Comprehensive Peace Agreement, and will also facilitate logistical support by the United Nations. UNMIS will continue to be headed by a Special Representative of the Secretary-General.

60. There will also be liaison arrangements between the operation and the Special Envoys of the United Nations and the African Union for Darfur. These arrangements will be based on the Joint Mediation Support Team, which currently provides substantive and logistical support to the two Envoys.

61. The ongoing humanitarian operations in Darfur will be distinct from the operation and will continue to be coordinated by the UNMIS Deputy Special Representative of the Secretary-General/Resident Coordinator/Humanitarian Coordinator, with the support of the Office for the Coordination of Humanitarian

Affairs, in accordance with recognized humanitarian principles and international humanitarian and human rights law. When appropriate, subsequent recovery operations will be coordinated by the Deputy Special Representative of the Secretary-General, with the support of the Resident Coordinator's office. This arrangement respects the need to maintain a distinction between humanitarian operations and the political, military and security presence in Darfur.

62. Pending the possible establishment of a United Nations multidimensional presence in eastern Chad and the north-eastern part of the Central African Republic, the hybrid operation will establish civilian-military liaison offices in both those countries for coordination with their authorities in the border region and with United Nations-African Union offices/agencies located there.

63. Further clarity and agreement on the United Nations role in command and control will be required by United Nations troop- and police-contributing countries in order for them to provide personnel for the hybrid operation. Clarity on such matters as they relate to financial administration would also be required by United Nations financial bodies in order to provide funding for the operation. Unity of United Nations command and control, which is a basic principle of peacekeeping, would be required, given the Security Council's primary responsibility for authorizing and the United Nations direct responsibility for implementing the mandate of the operation. At the same time, the implementation of all aspects of the operation's mandate would require close cooperation with national and local authorities, who bear the primary responsibility for essential aspects related to the peace process.

C. Components

1. Support for the peace process and good offices

64. The political affairs component of the operation will support the mandate of the Joint Special Representative to assist with the implementation of the Darfur Peace Agreement and any subsequent agreements and the joint African Union-United Nations efforts of the Special Envoys to make the peace inclusive and broaden the base of the Agreement. In this regard, the political affairs component will liaise with all stakeholders involved in the Darfur peace process, monitor relevant developments of the peace process and perform early warning and conflict analysis functions. It will also prepare reports of the Secretary-General and the Chairperson of the African Union Commission to the Security Council and to the African Union Peace and Security Council.

65. The component will provide political guidance to all other components and will be responsible for ensuring that reconciliation initiatives are coordinated with security, recovery and development efforts in Darfur. It will also ensure a complementary implementation of all peace agreements in the Sudan and will pursue, in particular, an approach consistent with the national provisions of the Comprehensive Peace Agreement.

2. Civil affairs

66. The civil affairs component will assist in the implementation of the Darfur Peace Agreement and any subsequent agreements through support to reconciliation

processes, including at the grass-roots level, the conduct of the Darfur-Darfur Dialogue and Consultation and the functioning of the institutions established under the Darfur Peace Agreement, including the Transitional Darfur Regional Authority, the Land Commission and the Civil Service Commission. The component will also assist in the capacity-building of national institutions and civil society organizations in Darfur.

67. The component's activities in Darfur will include the holding of workshops on various governance and peacebuilding aspects, with the aim of promoting a culture of peace and establishing contacts with key stakeholders to support dialogue and reconciliation among conflicting parties.

68. Given the complex conflict dynamics and the necessity for grass-roots engagement in the peace process, civil affairs officers will be deployed throughout Darfur. To achieve this goal, civil affairs officers currently serving in Darfur under the UNMIS mandate would be absorbed in the operation along with the civil affairs staff provided for in the light support package and heavy support package for AMIS.

3. Security — military

69. The primary purposes of the military component of the operation will be to assist in establishing a stable and secure environment in Darfur, monitor and verify ceasefire violations, protect civilians at risk and support the implementation of the Darfur Peace Agreement and any subsequent complementary agreements. Initially, the focus of these security operations will be on contributing to the protection of civilians and the provision of security for vulnerable populations.

70. While protecting civilians, the military component of the operation will also implement specific security provisions assigned to the African Union and the United Nations under the Darfur Peace Agreement and subsequent agreements. The operation will build on the efforts of AMIS to verify and ensure the effective separation of forces by robust patrolling of redeployment and buffer zones and the withdrawal of long-range weapons. It will also monitor, investigate, report and resolve violations of the Darfur Peace Agreement through the Ceasefire Commission and the Joint Commission; monitor the border between the Sudan, Chad and the Central African Republic; and support the disarmament, demobilization and reintegration process. In the light of the security situation, the scale and complexity of such tasks will require a force larger than that provided by the current strength of AMIS, including robust command, control and communications systems. The harsh terrain and lack of road infrastructure, in particular during the rainy season, will require a force equipped with high mobility ground vehicles and a strong air component. As indicated above, this was confirmed by the quick review mission on 19 February 2007.

71. The operation's military force must be capable and ready to deter violence, including in a pre-emptive manner. The force would possess surveillance capabilities, an assessment capability to steer operations and the air and response forces necessary to address threats to security. Reserves will also be needed to deal with any sudden deterioration in the security situation. In addition to infantry battalions, a force reserve company and one infantry company per sector as sector reserve will provide the Force Commander and sector commanders with adequate capabilities to respond to threats or security incidents.

72. The operation will also face unprecedented logistical challenges in deploying and supporting a large force and in mitigating its environmental impact. Under the Darfur Peace Agreement, the operation will also be required to coordinate non-combat logistics support to the movements. A significant number of enablers would therefore be required, in addition to those provided in the heavy support package, to facilitate early deployment. Additional military logistics elements will enhance support in the early stages, provided that Member States are prepared to assist with various capacities, such as strategic lift capacity, in addition to what is provided for in the heavy support package.

73. Based on these requirements, a joint military concept of operations is being finalized by the African Union and the United Nations, designed to perform three core complementary functions: protection, liaison, and monitoring and verification. The military component of the operation will be deployed throughout Darfur and organized into three sectors: North, South and West.

74. While all force elements have a role to play in protection, the core of the protection element will be a framework of mobile infantry battalions. Priorities will be to provide security to internally displaced persons camps, area and route security, demilitarization and patrolling of humanitarian supply routes and nomadic migration routes and, where necessary, escort for humanitarian convoys, as per established guidelines. The force will also need to protect United Nations and African Union personnel, installations and property, including logistics locations and supplies in transit. Another priority is to gradually extend wider area security to create conditions conducive to a return to normal community life.

75. Company-level operations on the ground will be fundamental to the achievement of early stabilization. Infantry companies will conduct proactive patrol programmes, using both high mobility vehicle patrols for greater area coverage and foot patrols around towns and villages to reassure the local population. Armoured personnel carriers will be required to protect troops in high-threat areas. Elsewhere, robust patrolling techniques without armour will be used to restore confidence. As confirmed by the quick review mission, patrolling at night will be especially important, using basic night patrolling skills, and using specialized night observation equipment. While, given the vast size of Darfur, even a large force could not have a presence in all parts of the territory, airmobile patrols by military aviation could deliver infantry quickly to more remote areas in order to improve security.

76. The military liaison capability of the military component of the operation will consist of dedicated liaison officers who will maintain close liaison with the national and local authorities, other parties, tribal leaders and local communities. A strong liaison capability will be required for close working relations with the police and other components of the operation. Liaison with the humanitarian assistance community will also be important in order to ensure synergy.

77. In addition to protection and liaison, the military component will continue the efforts of AMIS in monitoring and verifying the implementation of the security provisions of the Darfur Peace Agreement and any subsequent agreements. All force elements will have a role to play in this regard, but the core of this capability will be provided by military observers, ground surveillance companies in each sector and air surveillance. These elements will monitor and verify compliance with the Darfur Peace Agreement and track the activities of armed militias and other armed groups.

Surveillance companies and military observers will monitor and submit reports on the dynamic security situation in order to, inter alia, alert commanders to potential threats, thereby directing the patrolling activities of infantry battalions.

78. As indicated above, the African Union-United Nations quick review mission confirmed that the magnitude of the protection task and the need to ensure compliance with the Darfur Peace Agreement will require a large, mobile and robust military force. The key operational requirements have been defined as high troop density to provide wide area coverage; high mobility to move forces rapidly in response to developing crises; and robust military capability to deter violence, including in a pre-emptive manner. Based on the assessment of the quick review mission, two options for the size and composition of the military component were developed, as described in paragraphs 79 and 80 below. These capabilities will be in addition to the units provided in the heavy support package. Both options depend on the successful implementation of the light support package and the heavy support package as well as the early and effective restructuring of AMIS into three sectors. These options differ in the level of mobility and troop density of the force.

79. The first option, based on the 19 February 2007 African Union-United Nations review of the June 2006 technical assessment mission's "troops-to-task" assessment, calls for 19,555 troops, consisting of: 18 infantry battalions; three infantry reserve companies; three surveillance companies and a force reserve company; three fixed-wing operational surveillance aircraft; six to eight helicopters for tactical use; 18 military utility helicopters; up to 120 liaison officers; and 240 military observers. Each of the three sectors will comprise five to seven infantry battalions, one surveillance company and one reserve infantry company. This force represents an optimal balance of key operational capabilities that would credibly contribute to a secure environment.

80. The second option will consist of 17,605 troops, that is, only 15 infantry battalions. This option would have one infantry battalion less per sector, but an additional rapid reaction company per sector in order to compensate for the reduction in the infantry level through rapid response by air. This second force configuration option, however, would not envisage the deployment of 12 companies to the 12 locations that were identified by the quick review mission as requiring a continuous troop presence. The absence of these 12 companies would reduce the capacity to provide a secure environment in these locations and therefore carries a higher risk with regard to the protection of civilians and African Union/United Nations personnel operating in areas with lower or no troop presence. This option, therefore, critically depends on the day/night rapid reaction capabilities and the early full deployment of all air assets. It also renders the force more vulnerable to the constraints of weather on operations. Additional infantry battalions are inevitably required if rapid reaction and air assets cannot be generated.

4. Security — police

81. The implementation of the Darfur Peace Agreement and any subsequent agreements will require the police component to engage the national and local authorities and carry out, inter alia, the following core functions: establish and train community police in internally displaced persons' camps; capacity-building of the Government of the Sudan police in Darfur in accordance with international standards of human rights and accountability; institutional development of the

police of the movements; conduct proactive patrols to monitor the policing activities of the parties in internally displaced persons' camps, demilitarized and buffer zones and areas of control; address issues relating to gender-based violence and abuse of children; report on the welfare of detained persons; monitor and verify security in internally displaced persons' camps and for investigations conducted by the Government police; and advise on the development of policing plans and monitor their implementation. The representation of the operation's police on the Darfur Security Arrangements Implementation Commission and subsidiary bodies is essential to carrying out these tasks. Police involvement would contribute to the effectiveness of the Commission and support the long-term integration of former combatants.

82. Taking into consideration the provisions of the Darfur Peace Agreement in the area of policing, the police component of the operation would expand upon the primarily advisory/observer posture of the AMIS civilian police towards active support for the efforts of local and national authorities to establish long-term rule of law through mentoring, advising, training, and reform and institutional development of the Sudanese law enforcement agencies. The reform of law enforcement agencies would go a long way in facilitating the building of trust and confidence in police institutions throughout Darfur, particularly in areas controlled by the movements. The operation would be more effective in supporting the reform of Sudanese police services in Darfur if it is provided with specific authorization in this regard through its mandate. Developing the capacity and capability of law enforcement authorities is also resource-intensive and the financial requirements relating to police activities will need to be included in the budget of the planned operation.

83. Formed police units will be an integral element of the police component. They will assist in providing protection for civilians and personnel and property of the operation, in collaboration with the military component of the operation. Moreover, they will be required to conduct independent and joint patrols with the police and military of the operation, the Government of the Sudan police, the police liaison officers of the movements and the community police within and in the immediate vicinity of the internally displaced persons' camps in the demilitarized and buffer zones. Formed police units will be available to support the Government of the Sudan and police of the movements in responding to public order situations that may arise and to build the capacity of the Sudanese law enforcement agencies through specialized training and joint operations.

84. According to the quick review mission, in order to perform the above tasks and contribute to the restoration of security and protection of civilians in Darfur, the police component of the operation will require 3,772 police officers and 19 formed police units. The AMIS civilian police and United Nations police provided for in the light and heavy support packages for AMIS will form the core of this component.

5. Security — disarmament, demobilization and reintegration

85. The disarmament, demobilization and reintegration component of the operation will support national and local institutions in implementing the disarmament, demobilization and reintegration programme called for in the Darfur Peace Agreement. To that end, the component will provide: technical assistance for operational planning and implementation of the disarmament and demobilization

processes; field assessments and surveys to profile the forces; supporting information and sensitization strategies for all stakeholders; and capacity-building.

86. Pursuant to the Darfur Peace Agreement, support to the disarmament, demobilization and reintegration process in Darfur will include monitoring the assembly of combatants, securing disarmament and demobilization sites, undertaking the disarmament of the movements, weapons storage and weapon and ammunition destruction, assisting in the registration of the disarmed combatants, assisting with the demobilization activities, provisioning and distributing reinsertion packages and supporting the sustainable reintegration of the former combatants into civilian life. The removal of children associated with the armed forces or groups and militia will be given priority and will not await a formal disarmament, demobilization and reintegration process for adult combatants.

87. It is the responsibility of the Government to provide adequate funding and non-military logistics to support the assembly of former combatants. At the request of the Joint Commission, the African Union will solicit support from international donors and organizations for non-military logistical supplies, communication equipment and funding for such supplies for the forces of the movements. Member States are urged to support all efforts in this important endeavour. In addition to the disarmament programme conducted under the framework of the Darfur Peace Agreement, the disarmament, demobilization and reintegration component will support the development and implementation of a civilian disarmament programme to counter the proliferation of weapons in the region.

6. Protection and promotion of human rights

88. The human rights component of the operation will assist the parties in the implementation of relevant provisions of the Darfur Peace Agreement and any subsequent agreements. This will involve a wide range of protection and promotion activities, which will be carried out in keeping with international human rights law and other relevant international standards and in close cooperation and coordination with the parties, while complementing and building on the work carried out by the United Nations country team.

89. In addition to the mainstreaming of human rights within the operation, the human rights component will carry out a wide range of monitoring, investigation, reporting, advocacy, protection, advisory and capacity- and institution-building activities, including support for the establishment of a national human rights commission, in keeping with the Paris Principles and as noted in the Darfur Peace Agreement. The component will also engage with the authorities, other parties to the Agreement and relevant United Nations and non-governmental organizations, with a view to identifying options for appropriate actions to stop, prevent and/or pre-empt violations of human rights and fundamental freedoms.

90. The monitoring of the human rights situation in the demilitarized zones, areas of displacement and return, including during the process of return, focusing particularly on vulnerable groups, will be a core activity of the human rights component. In addition, the human rights component will monitor the work of law and order institutions and traditional dispute settlement mechanisms, for which full and unhindered access will be essential. In conjunction with other components, the human rights component will also assist national stakeholders in the capacity-building and development of a transitional justice strategy.

7. Rule of law

91. AMIS does not have a rule of law, judicial systems and prisons advisory component. This activity is essential to the multidimensional peacekeeping strategy envisaged for the operation. The rule of law, judicial and prisons advisory component of the operation will assist all stakeholders in promoting the rule of law, including through support to the strengthening of an independent judiciary and professional corrections system and combating impunity, working in close cooperation with the United Nations country team, the United Nations Development Programme (UNDP), other United Nations agencies, funds and programmes and non-governmental organizations. The rule of law component will also assist in addressing property and land disputes and compensation related to the Darfur Peace Agreement and any subsequent agreements.

92. Based on a complementary approach, rule of law activities will focus on engaging the national authorities and supporting efforts to reform the judicial system through appropriate vetting measures, juvenile and gender justice and overall legal reform, including strengthening customary law to ensure compliance with international standards. Ongoing programmes and comparative advantages of other United Nations actors will be fully acknowledged in all efforts to ensure the effective and efficient functioning of the courts, the police and the prosecutorial authorities, with a view to ending the climate of impunity. This will also involve assistance to local and national authorities in the establishment of mobile courts, the expansion of access to justice and legal aid and the strengthening of traditional forms of justice, in keeping with national laws and international human rights standards, and should include the empowerment of the legal profession and civil society. A particular focus on efforts to effectively address property and land disputes and compensation issues related to the Darfur Peace Agreement will be essential and, in the longer-term, may include law reform in those areas.

93. Efforts will be made, in consultation with the Government of the Sudan, to provide additional capacity, strengthen, restructure and reform, as necessary, the prison system in Darfur, in accordance with international standards. This will require that corrections officers be seconded from Member States under the same conditions as United Nations police seconded staff. As appropriate, efforts will be undertaken to provide advisory services for strengthening the prison system and addressing prison reform issues in Darfur, including training prison staff, monitoring their performance in promoting a human rights approach to prison management, and mentoring senior and middle-level prison management.

8. Humanitarian liaison

94. The humanitarian liaison component will maintain liaison between the operation and the humanitarian community on all relevant issues, including, but not limited to, the provision of humanitarian assistance, the protection of civilians and the return of refugees and internally displaced persons. In addition, the component will support the work of the Joint Humanitarian Facilitation and Monitoring Unit. As a liaison component, it will establish and maintain dialogue and coordination between the military and police components and the humanitarian community, ensuring the mutual exchange of information about ongoing humanitarian and military activities and issues and respective mandates, deployments and operations.

and will advocate for humanitarian issues with the other components of the operation.

9. Child protection

95. The child protection component will assist in the implementation of the provisions of the Darfur Peace Agreement and any subsequent agreements related to monitoring the recruitment and use of children by armed forces and investigating other crimes against children, including abduction and sexual violence. In cooperation with other actors, the component will provide capacity-building to military observers and national monitors to carry out investigations of ceasefire violations related to children in armed conflict and ensure that ceasefire institutions can effectively address such violations. The child protection component will also be able to participate in those investigations and it will support, in cooperation with other actors, the police component of the operation with the resources and capacity needed to monitor violations of the rights of children in cooperation.

10. Gender

96. The gender component will develop and implement plans to guide the process of gender mainstreaming in all aspects of the work of the operation. The Component will provide leadership and guidance on gender mainstreaming, provide training on gender issues and facilitate the organization of meetings, workshops and seminars aimed at raising awareness and understanding of gender issues within the operation.

97. The component will also develop a gender action plan, in collaboration with existing mechanisms, which will focus on prevention of and response measures to any involvement of personnel of the operation in sexual or gender-based violence. The component will also work in cooperation with other actors to ensure the participation of women in all decision-making structures established by the Darfur Peace Agreement, including the Transitional Darfur Regional Authority, the Land Commission, the Rehabilitation and Resettlement Commission and the Darfur-Darfur Dialogue and Consultation.

11. HIV/AIDS support

98. While cooperating and coordinating closely with other specialized units of the United Nations country team, including the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Population Fund (UNFPA) and the World Health Organization (WHO), the HIV/AIDS component will focus on the development of HIV/AIDS sensitization and awareness programmes and a comprehensive HIV/AIDS prevention programme for operation personnel. Programmatic HIV activities will continue to be the responsibility of the United Nations country team.

99. In collaboration with the wider United Nations system and relevant local authorities, the HIV/AIDS component will provide technical support, within the limits of its capacity, to the Transitional Darfur Regional Authority in order to ensure that HIV/AIDS prevention is addressed. Technical assistance will also be provided to integrate HIV/AIDS considerations in disarmament, demobilization and reintegration activities and to support HIV/AIDS awareness and prevention strategies in the training and capacity-building programmes of community police in internally displaced persons' camps.

12. Mine action

100. The current landmine threat in Darfur is estimated to be low, however explosive remnants of war are prevalent and the potential for targeted new mine use exists. The presence of landmines and explosive remnants of war on routes will affect the mobility of the operation's personnel and the provision of humanitarian assistance. The presence and the possible new use of such devices will not only affect the implementation of peacekeeping operations, but also the local population and returnees, jeopardizing the overall peace process. Addressing this problem will require specialized risk education, in consultation with the Government of the Sudan and the other parties, in addition to area and route survey and clearance capacity.

13. Public information

101. The public information component of the operation will implement a proactive, comprehensive public information strategy designed to explain and promote its mandate and activities to all stakeholders. This will include specific information campaigns on different aspects of the operation's work, aimed at audiences across the operational area, aiming to promote the objective understanding of the Darfur Peace Agreement and other peace initiatives in Darfur. The public information component of the operation will have its headquarters in El Fasher, with information officers and resources deployed throughout the three Darfur states. It will comprise the following main components: a spokesperson's office and media relations component; an extensive outreach and advocacy programme; a radio production and broadcasting operation designed to provide coverage throughout the entire area of Darfur; a print and production component; a website for the hybrid operation; a television/video operation; and a photographic operation. The public information component will include military and police public information officers. It will work closely in the development and implementation of information campaigns with the civil affairs component of the operation, the United Nations country team and other agencies, funds and programmes. The Government of the Sudan will be expected to provide all necessary access to this important component, including access to airwaves.

14. Safety and security

102. Given the unstable security environment in the Darfur states, a Darfur staff security cooperation mechanism will be established to ensure cooperation among organizations with security capacities in order to promote a safe and secure environment for mandate implementation and programme delivery activities. The mechanism will also assist with the application of the modalities of the United Nations security management system within the operation, as well as other United Nations organizations present in Darfur.

15. Conduct

103. The Personnel Conduct component of the operation will assist the Joint Special Representative in developing and implementing strategies and mechanisms to identify, prevent, investigate and respond to all forms of misconduct, including sexual abuse and exploitation. The component will increase awareness of operation personnel of acceptable standards of conduct through various campaigns and training programmes and will increase their general awareness of the importance of

preventing abuses and ensuring adherence to the code of conduct by all United Nations staff. The component will prepare databases of complaints, establish mechanisms to register complaints of such abuses and, if necessary, investigate such incidents.

16. Mission support

104. The establishment of a multidimensional operation in the Darfur region of the Sudan will face formidable logistics challenges. Darfur is a remote and arid region, with harsh environmental conditions, poor communications, underdeveloped, poor infrastructure and extremely long land transport and supply lines from Port Sudan. The scarcity of water presents a particularly difficult challenge, which must be addressed at both the political and logistics level, between all parties.

105. Successful operations will require significant efforts to upgrade and develop the infrastructure of the region in the predeployment phase of the operation. The efficient clearance of assets by customs is also critical to the operation, ensuring that essential items can be deployed and positioned in a staged manner. Existing runways will be expanded and improved in order to handle larger cargo aircraft. Simultaneously, housing, equipment and facilities for personnel sent in advance of the operation will need to be constructed and upgraded to meet United Nations standards.

106. In its start-up phase, the operation will rely heavily on military enabling units, including heavy transport lift units, engineering units and aviation units. Troops and formed police units must be self-sustaining upon deployment, with the exception of field defence stores, which will be supplied by the United Nations. The Force structure will incorporate the second-line logistics capabilities required to support it after deployment. Troop-contributing countries and police-contributing countries should ensure that their equipment can operate under the local conditions, taking into account the high temperatures and the ubiquitous heavy dust and sand.

107. An integrated operation headquarters will be established in El Fasher, with three joint sector headquarters in El Fasher, Nyala and El Geneina. The deployment of personnel will take into account environmental constraints, including the availability of water. The main logistics base will be established in Nyala. It is envisaged that the majority of the operation's staff will be accommodated in camps developed on greenfield sites in accordance with United Nations safety and security standards.

108. The United Nations will begin pre-positioning strategic deployment stocks immediately following the authorization of the operation in the Security Council. Following the usual priority for deployment, the positioning of strategic deployment stocks is followed by the emplacement of crucial engineering equipment so that the construction of new camps and the expansion of existing campsites can commence. Construction priority will be given to the headquarters and logistics base locations.

109. Strategic sea and airlift will be required for the deployment of such equipment into the Sudan, supported, as necessary, by short-term contracts for deployment inside the country. Where practicable, UNMIS air assets will also be used to assist in the deployment of the operation.

110. Successful logistics support of the operation will require substantial financial investment in human and material resources to establish necessary facilities and

services. In addition, the Darfur Peace Agreement calls for both community police centres/police posts and logistics support for the establishment of assembly sites for the disarmament, demobilization and reintegration programme, in consultation with the parties. The extent of logistical support by the operation at the assembly areas remains to be defined and will have corresponding financial and logistics implications.

111. A joint African Union-United Nations operations and logistics task force will be established early in the predeployment phase of the operation to determine the details of joint operations and logistics work, with particular reference to the possibility of obtaining economies of scale with existing UNMIS and AMIS facilities and arrangements.

112. Most importantly, the full cooperation of Government authorities will be required in areas such as timely access to land and water, the provision of suitable premises and the timely clearance of goods from customs. In addition, full support will be needed to overcome any administrative constraints and facilitate operations, including full freedom of movement and access. The UNMIS/AMIS experience has shown, on repeated occasions, that inordinate delays in the clearance of goods and related administrative processes through the respective Government ministries can have a crippling effect on operations.

D. Force and personnel generation

113. Consistent with the Addis Ababa conclusions and the communiqué of the African Union Peace and Security Council of 30 November 2006, all efforts will be made to ensure that the peacekeeping force will have a predominantly African character. To that end, suitable offers from African troop- and police-contributing countries will be considered first. However, at the extent that African troop- and police-contributing countries are unable to meet the Force requirements, offers from other contributing countries will be considered. The final choice of troop- and police-contributing countries will be jointly agreed upon by the African Union and the United Nations after due consultation with the Government of the Sudan. The police and force generation process will follow General Assembly rules and regulations.

114. Civilian personnel for the operation will be hired under United Nations contracts in accordance with established United Nations selection and recruitment guidelines, standards and procedures. For unity of effort and efficiency, all United Nations and African Union personnel deployed to the operation will be administered in accordance with United Nations rules, regulations, policies, directives and administrative instructions, as well as standard operating procedures, including, but not limited to, those relating to performance, conduct and discipline.

E. Resource requirements and funding sources

115. Based on the Addis Ababa conclusions, as endorsed by the African Union Peace and Security Council at its 66th meeting in Abuja in November 2006, it is assumed that States Members of the United Nations will be prepared to consider a recommendation from the Secretary-General to provide funding for the operation in Darfur through the United Nations assessed budget governed by the United Nations

Financial Rules and Regulations. To that end, effective financial management and oversight mechanisms will be put in place. Should the Security Council decide to establish the operation as envisaged in the present report, the Secretary-General will submit to the General Assembly the necessary recommendations in this regard without delay.

116. For the start-up of the operation to be managed successfully, the African Union must resolve the issue of the ownership of the equipment donated by the partners for use in Darfur; the United Nations will provide technical and professional assistance in support of these efforts where required. The African Union will have to ensure that mechanisms remain in place to deal with all liabilities incurred prior to the start-up date of the operation. In addition, both the United Nations and the African Union will ensure that political and legal safeguards are firmly in place for the handover of land titles and rights of use for the operation.

VII. Risks and challenges, including regional considerations

117. The continuation and sustainability of AMIS operations is critical for the implementation of the three-phased peacekeeping plan agreed by the African Union and the United Nations. The unpredictable nature of AMIS funding is therefore a great risk to the operation as it could lead to a premature withdrawal of AMIS. It could also lead to gaps and delays in the implementation between the different phases of the plan and could undermine the effectiveness of United Nations support to AMIS. The plan for deploying the African Union-United Nations hybrid operation is based on the assumption that the light and heavy packages of United Nations support to AMIS, as defined by both organizations, are implemented successfully and the capacity of AMIS is significantly strengthened.

118. Progress on the peacekeeping front requires the firm commitment of all parties, including the Government of the Sudan, to the Addis Ababa framework, which recognizes effective peacekeeping as an integral part of the solution to the conflict in Darfur. Without effective peacekeeping, the humanitarian and security situation will continue to deteriorate and instability in Darfur could spread to the entire region.

119. Since the peace process still faces many challenges, the deployment of the operation in the absence of an all-inclusive political agreement on a broadened Darfur Peace Agreement is a significant risk. Despite the public commitment of the Government of the Sudan and most non-signatory groups to negotiate amendments to the Agreement, some non-signatory groups are still posing preconditions to their participation in the political process and questioning the acceptability of the African Union mediation team. Furthermore, the Justice and Equality Movement and the National Redemption Front reject the Agreement as a basis for negotiations.

120. Another key challenge remains the fragmentation of the non-signatory groups. The reunification of their leadership or, at the very least, the harmonization of their position in anticipation of the political talks on the Darfur Peace Agreement is necessary not for the successful outcome of the efforts of the African Union-United Nations joint mediation, but also for the attainment of a sustainable and self-enforced ceasefire. Efforts currently being made by AMIS leadership to strengthen the ceasefire mechanisms are conditioned on the meaningful and constructive participation of all parties.

121. In addition to the fragmentation of the non-signatory groups, new fault lines have emerged in the conflict, making it more complex. The scale of recent inter- and intra-tribal fighting reinforce the need for an all inclusive and comprehensive process.

122. The regional dimension of the conflict in Darfur, in particular as it relates to the border crisis between the Sudan and Chad, is such that Darfur cannot be treated in isolation from Chad. Normalization of the bilateral relationship between Chad and the Sudan is not only essential to the success of the peace process in Darfur, but also for the internal stability of Chad. Both countries should be strongly encouraged to respect each other's territorial sovereignty and to implement existing agreements of non-aggression. Key regional actors should be encouraged to use their influence over some rebel groups to support a peaceful resolution of the conflict.

123. Progress on the peacekeeping front also faces serious operational challenges. The vastness of Darfur is such that even a large force will not be in a position to have an effective presence everywhere. The ongoing fighting and fragmentation of territorial control restrict freedom of movement in Darfur. Moreover, Darfur is an arid, landlocked region, over 1,000 miles away from any body of water. These geographical conditions, combined with the lack of infrastructure, pose tremendous logistical challenges to the timely deployment of a significant peacekeeping presence in Darfur.

VIII. Observations and recommendations

124. The present report is the outcome of joint consultations conducted in Addis Ababa in March 2007 by African Union-United Nations multidisciplinary teams and the high-level consultations between the two organizations led by myself and the Chairperson of the African Union Commission on 16 and 17 April 2007 in New York. It represents the determination of the United Nations and the African Union to carry through on the Addis Ababa conclusions and subsequent decisions, which are based on the assumptions that the prospect of an effective peacekeeping operation will contribute to the creation of confidence among the parties and guarantee a safe environment for a meaningful political process. The Addis Ababa conclusions define a comprehensive approach to peace in Darfur, based on the interdependence of the three tracks, including the political process, the ceasefire and the peacekeeping plan. Alleviating the ongoing humanitarian suffering in Darfur requires progress on these three fronts in the context of a comprehensive international strategy, which would also address rehabilitation and economic development.

125. A peacekeeping operation cannot assist in restoring security in Darfur in the absence of an inclusive political process. At the same time, a political solution will be unsustainable if the parties do not have confidence that a strong, impartial, proactive peacekeeping force is being deployed to support and monitor its implementation. While the conflict in Darfur has devastating security implications and humanitarian consequences, it is essentially a political problem, which can only be resolved through a political solution. The United Nations and the African Union therefore appeal to the parties to immediately cease the pursuit of a military solution and commit to honouring their ceasefire commitments, including the N'djamena Humanitarian Ceasefire Agreement. As international efforts are mobilizing in

support for a political solution, the Government of the Sudan continues to bear the responsibility to protect the population and give all citizens a share in the future of the country.

126. The United Nations and the African Union also urge members of the Security Council and regional stakeholders to lend their strong support to the joint mediation efforts of Salim Ahmed Salim and Jan Eliasson, which aim to advance an inclusive political process and help address the grievances left outstanding when the Darfur Peace Agreement was signed, including an effective end to the political and economic marginalization of Darfur. A sustained political process supported by a strong peacekeeping operation in Darfur would assist with the region's integration in the Sudan by supporting reconciliation, political representation, participation in public administration and increased economic opportunity for the people of Darfur. The United Nations and the African Union are confident that a political process pursued in earnest would also help the Government of the Sudan build trust with the international community. As agreed upon during the high-level meeting in Tripoli on 28 April 2007, the United Nations and the African Union Special Envoys for Darfur are developing a detailed road map, including the status of implementation of the Darfur Peace Agreement, possible changes to the Agreement and an architecture for mediation.

127. The operation will be an unprecedented undertaking, which will pose significant challenges for both organizations. It will succeed only if unity and coherence of command is not compromised. It also requires the consent and full cooperation of the Government of the Sudan and all parties. The operation's success depends critically on whether the Government of the Sudan will come to see the United Nations and the hybrid operation as part of the solution to the conflict in Darfur. It would be essential, therefore, for the mandate of the operation to reflect the agreement of the parties on its role in monitoring and supporting the implementation of the Darfur Peace Agreement and any subsequent agreements. The Security Council has ultimate responsibility in this regard.

128. The implementation of the operation also requires, as an immediate priority, the reinforcement of AMIS through the generation and deployment of the heavy support package. The United Nations and the African Union pay tribute to AMIS and its staff on the ground for their courageous service in carrying out the Mission's critical mandate under difficult circumstances. They also urge Member States to make urgent contributions to United Nations support for an enlarged and strengthened AMIS and to assist in finding a viable and sustained solution to the financial crisis of the Mission in the context of the expected deployment of the hybrid operation.

129. As we proceed with these plans, no effort should be spared to urgently improve the humanitarian situation in Darfur. The United Nations and the African Union acknowledge the signing by the Government of the Sudan of the joint communiqué with the United Nations of 28 March 2007. Its immediate implementation will ease the administrative burden on humanitarian operations and facilitate their work to alleviate the plight of the people in Darfur.